

# September 1, 2004

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re/ Application of J. Miranda and C. Betlach, II Application No. 09/456,278
Filed December 7, 1999

Examiner I. Ghali Group Art Unit 1615

TRANSDERMAL PATCH FOR DELIVERING VOLATILE LIQUID DRUGS

(Attorney Docket No. P24,540-A USA)

## **CERTIFICATE OF MAILING**

I hereby certify that this correspondence, along with any other papers indicated as being enclosed, is being deposited with the United States Postal Services, as first class mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on September 1, 2004.

Janet M. Karmann

Mail Stop: Amendment Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT PURSUANT TO 37 C.F.R. §1.97(C)

Sir:

It is requested respectfully that the information identified on the enclosed Form PTO-1449 (Modified) be made of record and considered with respect to the above-referenced patent application. A copy of each item of information identified on the

Group Art Unit 1615 Application No. 09/456,278

Form is enclosed. The Examiner is requested to indicate that each item on the enclosed Form PTO-1449 (Modified) has been considered by initialing and dating the enclosed Form and returning a copy of same to the undersigned.

This Information Disclosure Statement is filed after a first Office Action on the merits. Each item identified in this Information Disclosure Statement was first cited in the European Search Report of July 26, 2004 (copy enclosed) for counterpart application number 4076103.3.

Identification of information on the attached Form, or in this statement, is not an admission that such information is prior art to the invention claimed in the present application or that such information is in an analogous art area.

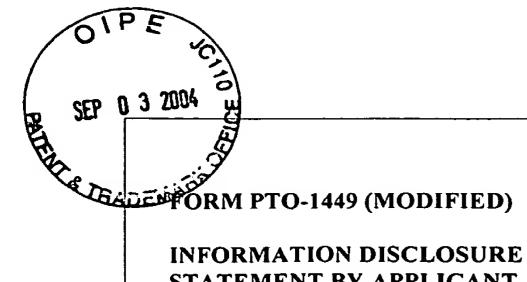
The Commissioner is authorized hereby to charge any fees or credit any overpayment associated with this Statement (copy enclosed) to Deposit Account Number 19-5425.

Respectfully submitted,

H. Eric Fischer, Ph.D. Registration No. 46,010

Synnestvedt & Lechner LLP 2600 Aramark Tower 1101 Market Street Philadelphia, PA 19107 Telephone (215) 923-4466 Facsimile (215) 923-2189

M:\CMcAvoy\Elan\P24540 Series\P24540A USA\P24540A USA - Letter re Form 1449 (Modified) # 2.wpd



# STATEMENT BY APPLICANT

APPLICATION NO.	09/456,278		
FILING DATE	December 7, 1999		
FIRST NAMED INVENTOR	J. Miranda		
ART UNIT	1615		
EXAMINER NAME	I. Ghali		
ATTORNEY DOCKET NO.	P24,540-A USA		

### **U.S. PATENT DOCUMENTS**

EXAMINER INITIALS		DOCUMENT NO.	PUBLICATION DATE	NAME		
	AA	5,164,190	11/17/1992	Patel et al.		
	AB					

#### FOREIGN PATENT DOCUMENTS

EXAMINER INITIALS		DOCUMENT NO.	PUBLICATION DATE	COUNTRY
	BA	321 870	12/15/1988	EP
	ВВ			

#### **OTHER PUBLICATIONS**

CA	Nangia et al., "High Dissociation Constants of Basic Permeants Are Associated In Vivo Skin Irritation In Man," Contact Dermatitis, 34;237-242 (1996).
СВ	Rose et al., "Nicotine/Mecamylamine Combination Treatment For Smoking Cessation," Drug Dev. Res., 38;243-256 (1996).
СС	Rose et al., "Mecamylamine Combined With Nicotine Skin Patch Facilities Smoking Cessation Beyond Nicotine Patch Treatment Alone," Clin. Pharm. And Ther., 56(1); 86-99 (1994).
CD	

**EXAMINER** 

### DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or n	ot citation is in conforma	nce w	vith M	PEP 609;	Draw line
through citation if not in conformation and not considered	Include copy of this for	m wi	th next	commu	nication to
applicant.					
	Sheet	1	of	1	

August 12, 2004